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19 FEB 1971

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Report of CIA Liaison with Congress - 1970

1. This memorandum is for information only.
2. This report summarizes congressional activity of the Agency during 1970 and identifies several areas of possible interest during the coming year. A topical index is attached.

3. Briefings

a. General

The Director appeared before congressional committees 17 times in 1970, three less than in 1969. The Deputy Director appeared twice, once in the company of the Director.

b. CIA Subcommittees - House

(1) Armed Services

The CIA Subcommittee was briefed three times, the same number as last year. Topics covered included [redacted] world trouble spots (Cambodia, Laos, Vietnam, the Middle East, Cuba), Soviet and ChiCom strategic weapons programs, and the proposal for a Joint Committee for Intelligence sponsored by the Members of Congress for Peace Through Law.

(2) Appropriations

The Director appeared three times (including the annual budget hearing), once more than last year. Non-budget topics covered included world trouble spots, Radio Free Europe

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and Radio Liberty, [] SALT talks, the Fulbright amendment to the Defense Appropriations bill and U. S. efforts on behalf of prisoners of war.

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c. CIA Subcommittees - Senate

(1) Armed Services and Appropriations

The combined CIA Subcommittees were briefed twice. As in the past, three members of the Foreign Relations Committee--Senators Fulbright, Mansfield and Aiken--were invited to attend. The first briefing, which covered the Soviet military threat, the North Vietnamese leadership, and the Paris peace talks, was attended by all three invitees. At the second, dealing with Laos and Cambodia, Senators Mansfield and Aiken were the only invitees present.

(2) Appropriations

The Agency budget was reviewed separately by the CIA Subcommittee at a briefing presided over by Senator Ellender. Topics covered included the [] Cambodia, Radio Free Europe and Radio Liberty. Senator Stennis missed this session but Colonel White covered the budget material with him separately.

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d. Other Committees

Agency representatives appeared before non-CIA committees twelve times, three less than 1969, but the same number as in 1968. These sessions involved:

HOUSE

Full Armed Services Committee

Consideration of CIA Retirement Act Amendments.

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Combined Defense and Military Construction Subcommittees
(Appropriations)

A two-day session covering Soviet and ChiCom strategic weapons systems, Southeast Asia and the Middle East.

Science and Astronautics

Current developments in Soviet and ChiCom space programs.

Foreign Affairs

World wrap-up

Defense Subcommittee (Appropriations)

World wrap-up.

SENATE

Foreign Relations

Two briefings:

(1) [REDACTED]

[REDACTED]

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Arms Control, International Law and Organization
Subcommittee (Foreign Relations)

Two briefings:

(1) Soviet strategic weapons.

[REDACTED]

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Committee on Aeronautical and Space Sciences

Current developments in Soviet and ChiCom space programs.

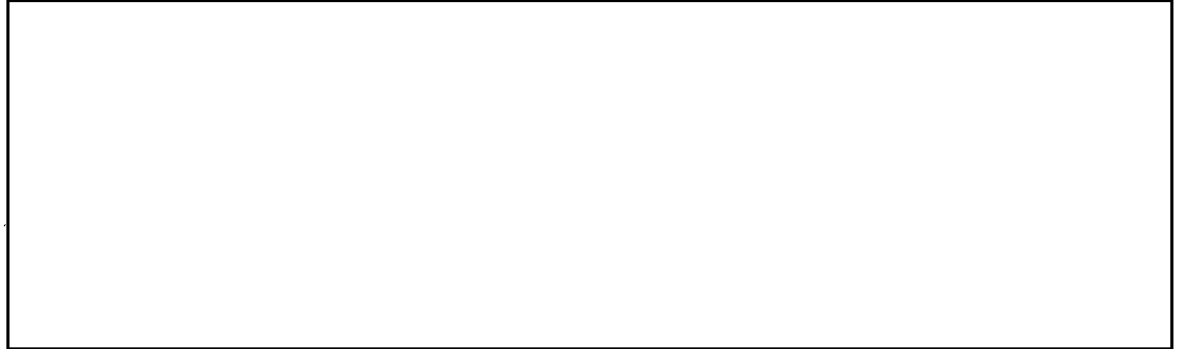
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Joint Committee on Atomic Energy

The annual briefing on foreign nuclear and related programs.

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f. Individual Members

The Agency responded to 80 requests from members for substantive information or briefings, 15 more requests than in 1969. This does not include numerous personal contacts with members or their staffs on routine business such as constituent inquiries or applications for employment.

g. Staff Members

Contact was maintained with key staff members of our Subcommittees on virtually a daily basis to keep them informed and to respond to requests for specific information. Special Agency expertise was called in as needed to handle technical and other complex subjects. Professional staff members of non-CIA committees also called on the Agency for information on matters within their committee jurisdiction; notably involved were staffs of Senate Foreign Relations, the Joint Committee on Atomic Energy, Senate Aeronautical and Space Sciences, House Science and Astronautics, Senator Jackson's National Security and International Operations Subcommittee, House Internal Security Committee, and the Senate Internal Security Subcommittee.

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4. Legislation

a. Retirement Amendments

For the third consecutive year the CIA Retirement Act was amended. The number of retirements authorized was increased; a number of provisions were updated; and Government monies paid into the Civil Service fund for CIA employees covered by the CIA Retirement Act were transferred to the CIA Fund. Legislative history inserted at our request in the Congressional Record hopefully will help persuade the Civil Service Commission to modify its overly restrictive interpretation of the funds provision.

Other funding provisions were dropped from our legislative package during OMB processing in the face of an objection from Treasury over a key definition. Further action on this matter is in abeyance pending decision on a uniform formula applicable to all retirement systems.

b. Ervin Bill (S. 782)

The Ervin bill relating to constitutional rights of Federal employees finally died in the House Subcommittee chaired by Representative David N. Henderson (D., N. C.). No hearings were held in the House but at Mr. Henderson's suggestion, we contacted each member of his Subcommittee and our views received a generally favorable reception. Defense, State and the Civil Service Commission officially opposed the bill.

c. Proposals for a Joint Intelligence Committee

The major interest in this subject was provided by the report issued by the Military Spending Committee of Members of Congress for Peace Through Law. The report recommended establishment of a Joint Congressional Committee on Intelligence with representation from the Senate Foreign Relations Committee, the House Foreign Affairs Committee, and the Armed Services Committees of both Houses. Measures were introduced by Senator McCarthy (D., Minn.) and Representative Fraser (D., Minn.) and Representative Whalen (R., Ohio) and were referred to Senate

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Armed Services Committee and House Rules Committee, respectively, but no action was taken. In response to his request,




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d. Equal Employment Opportunities Act

A proposal to enforce the right of workers discriminated against under the Civil Rights Act of 1964 passed the Senate but died in the House Rules Committee. As reported out by the Senate Labor and Public Welfare Committee, the bill would have permitted a complainant (applicant or employee) to bring the Agency into court on an alleged violation. This was pointed out to members of the Senate Committee staff who explained that insofar as the Federal service was concerned, the legislation was intended only to cover the competitive service. The section of the bill including Federal employment was subsequently deleted by the Senate.

e. Social Security Act Amendments

We gave a successful push to an amendment to the Social Security Act which will enable some  contract employees to credit toward their retirement periods of Federal employment previously denied them. This enactment obviates the need for a costly special annuity program which was being drawn up to overcome this inequity.

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g. Restrictions on Executive Action

There were a number of measures designed either to restrict Executive authority or deny funds for the implementation of that authority in connection with activities in Southeast Asia.

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The effect of these restrictions in the Foreign Military Sales Act, the Foreign Assistance Authorization and Appropriation Acts and the Defense Authorization and Appropriation Acts on Agency activities were closely monitored on a continuing basis. In the case of the Defense Appropriations bill, we responded to Chairman Mahon's request for draft language to reflect his views.

h. Unauthorized Disclosure

Progress was made on proposed legislation which would tighten the laws on unauthorized disclosure of classified information. OGC has worked with the National Commission on Reform of Federal Criminal Laws on a low-profile basis in collaboration with the General Counsel, National Security Agency. It is the charter of the Commission to formulate and recommend to the Congress legislation to improve the Federal system of criminal justice. The final Commission report to Congress was initially due in November 1969, but the deadline has been extended. Representative Richard Poff (R., Va.), Vice Chairman of the Commission, has been kept abreast of these developments and strongly supports our efforts.

i. General

(1) Our program of monitoring legislation which might have an impact on Agency programs involved the review of some 7,400 bills and 2,000 legislative and investigative reports. As a result, a number of items of interest were brought to the attention of appropriate Agency officials.

(2) We responded to seven requests from the Office of Management and Budget for Agency views on proposed legislation.

5. Issues

a. Douglas Impeachment Resolutions

A special House Judiciary Subcommittee named in April to consider the impeachment of Associate Justice William O. Douglas

requested reports in Agency files relevant to the impeachment charges made by Representative Gerald P. Ford (R., Mich.) and others. Representative Ford was kept abreast of developments arising out of a series of meetings between Agency representatives and the Subcommittee staff. At issue was acceptance of the Agency's conclusion that our files did not contain relevant information rather than making our files available to the Subcommittee staff for their inspection.

The Subcommittee completed its study in December and reported to the full Committee that there were no grounds for impeachment, including no evidence to support the charge that Justice Douglas engaged in activities involving gambling concession licenses in the Dominican Republic. In the press play on the proceedings the Agency was characterized as "uncooperative" by Chairman Celler. Some members have threatened to call for a new investigation outside the Judiciary Committee in the 92nd Congress.

b. POW Raid - Son Tay, North Vietnam

Charges of alleged lack of consultation between the Pentagon and CIA concerning intelligence information in connection with the raid came to a head when Secretary Laird indicated before the Senate Foreign Relations Committee that the Agency had been "fully briefed and advised" before the raid. Senator Fulbright countered by asserting the Agency was not "consulted" and that Mr. Helms himself had told him so.

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c. Cienfuegos

In September, reports of increased naval activity in Cienfuegos Harbor raised the question of whether the Soviets were attempting to establish a submarine facility in Cuba. Senator Church's Western Hemisphere Affairs Subcommittee of Foreign

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Relations and Representative Fascell's Subcommittee on Inter-American Affairs of Foreign Affairs sought to obtain verification from the Agency. In accordance with high-level instructions, the Agency referred congressional inquiries to the Defense Intelligence Agency. Later when the holddown was lifted, our Committees were kept fully informed of the situation as it developed.

6. Miscellaneous

a. Relations with Individual Members

There were a number of individual visits to Headquarters by members and staff officers for luncheon or briefing. Ten members of the combined SOS Club and Chowder and Marching Society met at Headquarters for a breakfast and rundown on world trouble spots. On three occasions, members spoke to Agency training courses, and staff officers took part in two training sessions.

b. Congressional Breakfasts

The Agency did not host any congressional breakfasts in 1970.

c. CIA Subcommittee Membership (House)

Representative William E. Minshall (R., Ohio) replaced the deceased Representative Glenard P. Lipscomb on the House Appropriations Subcommittee. Representative Philip J. Philbin (D., Mass.), a longtime member of the House Armed Services Subcommittee, failed to win reelection. At the conclusion of the session, Chairman L. Mendel Rivers (D., S. C.) died several days after undergoing restorative heart surgery. Representative F. Edward Hebert (D., La.) became the new Chairman of the House Armed Services Committee, but the membership and structure of our CIA Subcommittee is not firm.

d. Personal Contacts

Routine requests initiated by members resulted in the Office of Legislative Counsel making some 1200 personal contacts and 1000 written responses.

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SECRETe. Congressional Record

A daily review of the Congressional Record provides a running analysis of congressional activity and gives some insight into the attitudes and views of members. Approximately forty-five thousand pages of the Congressional Record were reviewed, and items of Agency interest were identified and disseminated to appropriate offices.

7. Prospects for 1971a. Agency Activities

Continued concern over Indochina will probably spark additional attempts to restrict Executive authority through amendments to authorization and appropriation bills. In the process, the Agency's appropriations procedures, funds, and special authorities are likely to come under increasingly critical scrutiny.

Bills by Senator Case and Representative Reid regarding Radio Free Europe and Radio Liberty, and Senator Case's public attacks on covert support for these Radios, will probably stimulate additional congressional examination of the Agency's covert procedures and authorities, particularly since Senator Case's bill is expected to be taken up by the Foreign Relations Committee.

b. Oversight

The deaths of Senator Russell and Representative Rivers will have a profound effect, not only on the workings of the Agency Subcommittees which they chaired, but on the discipline with which sensitive Agency matters are handled in both Houses of the Congress. Other important changes in the Congress will also have a bearing on our future congressional relations. Those who have recently risen to key leadership posts are generally well-disposed toward the Agency's mission and are understanding of its problems. However, down the ranks there are mounting demands for loosening the old Committee discipline and breaking the established traditions of seniority. These pressures have already found tangible expression in the Congressional Reorganization Act of 1970 and accompanying changes in party rules and policies. We may expect increased probings from the middle and lower ranks for information about,

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and a voice in, matters concerning the Agency and other elements of the intelligence community. It is not yet clear how our present chairmen will respond to these pressures, but it is doubtful that the old lines can be held for long. In the days ahead we are likely to be confronted with a recurrence of an old dilemma--how much security must we risk in order to maintain the congressional support we must have to do our job.

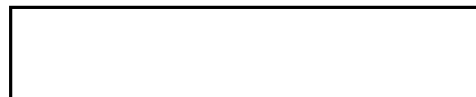
c. Legislation

(1) Retirement Act Amendments

At a minimum, there will be a need for Retirement Act legislation merely to keep the Agency Act up-to-date with important changes in the Civil Service Retirement Act. It is expected that such legislation can be pushed without creating any stir in the Congress.

(2) Ervin Bill

Senator Ervin presumably will once again introduce his bill on the constitutional rights of Federal employees, and in view of the temper of the new Congress we must be continually alert to other proposed legislation which could adversely affect the Agency's interests.



John M. Maury
Legislative Counsel

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Attachment

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(91st Congress, 2nd Session)

1970

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